

RAFAEL ALEMANY

JULY 20, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FELLOWS, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4121]

The Committee on the Judiciary, to whom was referred the bill (H. R. 4121) for the relief of Rafael Alemany, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to grant the status of permanent residence in the United States to a native and citizen of Spain, a skilled specialist. The bill also provides for the payment of the required visa fee and head tax and for the appropriate quota deduction.

GENERAL INFORMATION

Mr. McCormack, the author of this bill, appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of this bill and submitted the following memorandum:

MEMORANDUM RE RAFAEL ALEMANY

Rafael Alemany, 55 years of age and a native of Spain, is a highly specialized artist and illustrator of medical subjects, who has done extensive work in the reproduction of pathologic and other material used for purposes of publication and the teaching of medical subjects. He has held a position at the University of Barcelona of professor of medical illustration in the department of anatomy and surgery.

Mr. Alemany came to the United States as a section 3 (2) visitor and has since his arrival been the guest of Dr. Ramon Castroviejo, 9 East Ninety-first Street, New York 28, N. Y., a noted eye surgeon, who is most anxious that Mr. Alemany remain in the United States permanently and who is joined in this wish by many other well-known physicians, all of whom point out that medical illustrators are very scarce in this country. Several of the physicians of the faculty of the

Graduate School of Medicine of the University of Pennsylvania wish to use his services and Dr. Castroviejo states that he is at present helping him with the illustrations for a book on ocular surgery which it will probably take him several years to complete.

Dr. Castroviejo has offered Mr. Alemany a position on his staff as a medical illustrator and Dr. H. L. Bockus, chairman of the department of internal medicine of the University of Pennsylvania, has stated the great benefit it would be if our schools of medicine and hospitals could be in a position to avail themselves of the collaboration of Mr. Alemany. Other well-known physicians have supplied similar statements, all stressing how difficult it is to obtain a person of Mr. Alemany's ability for this type of work. Among these is Dr. Chevalier L. Jackson, of the Chevalier Jackson Bronchoscopic Clinic of Temple University, Philadelphia, Pa.

Due to the very limited immigration quota from Spain it would be years and years before a nonpreference number would become available. The American consul in Montreal is willing to grant Mr. Alemany a nonquota visa as a "professor" on the basis of his past teaching in Spain if he were to have a teaching contract with a college or university in this country. However, our colleges and universities do not, apparently, engage a professor of any rank to teach medical illustration. The services of Mr. Alemany are most urgently needed to illustrate the books that are being written by our specialists in the various medical and surgical fields, and this type of work does not convey a nonquota status under our immigration laws.

Although the Immigration and Naturalization Service has granted Mr. Alemany the privilege of preexamination so that he may go to Canada to obtain a nonquota visa as a "professor" from an American consul there, and although the consul in Montreal would grant him a "professor's" visa if he were coming here to teach it is obvious that he cannot avail himself of such a solution. The only way, therefore, whereby Mr. Alemany may be able to gain permanent residence in the United States is evidently through the enactment of a private bill.

Mr. Alemany has never belonged to the Falangist or other political parties.

(Documents attached to memorandum on Rafael Alemany:)

1. Letter of H. L. Bockus, M. D., chairman, department of internal medicine, Graduate School of Medicine, University of Pennsylvania, to the Honorable John W. McCormack, House majority leader, under date of May 24, 1951.
2. Letter of Robin C. Buerki, M. D., vice president in charge of medical affairs, University of Pennsylvania, dated October 19, 1948.
3. Letter of Chevalier L. Jackson, M. D., professor of laryngology and bronchoesophagology, Temple University, Philadelphia, Pa., dated October 18, 1948.
4. Letter of Herbert R. Hawthorne, M. D., professor of surgery, graduate school of medicine, the Medico-Chirurgical School, University of Pennsylvania, to the United States Department of Immigration, New York, dated December 14, 1948.
5. Letter of H. L. Bockus, M. D., professor of gastroenterology, Graduate School of Medicine, University of Pennsylvania, to the American consul general, Montreal, Canada, dated April 29, 1949.
6. Letter of H. L. Bockus, M. D., to the American consul general, Montreal, Canada, dated May 13, 1949.
7. Letter of H. L. Bockus, M. D., to the American consul general, Montreal, Canada, dated September 26, 1949.
8. Letter of Dr. Ramón Castroviejo, M. D., to the consul general of the United States, Montreal, Canada, dated December 3, 1949.
9. Letter of the American consul, Montreal, Canada, to Mr. Raphael Alemany, dated August 16, 1950.
10. Letter of Robin C. Buerki, M. D., vice president in charge of medical affairs, University of Pennsylvania, dated September 14, 1950.
11. Letter of H. L. Bockus, M. D., dated September 14, 1950.
12. Affidavit of Don Justo Covalada Ortega, professor and secretary of the faculty of medicine of the University of Barcelona, Spain, dated February 27, 1950.
13. Affidavit of Don Cesar Martinell Brunet, professor and secretary of the Escuela de Artes y Oficios Artísticos; of Barcelona, Spain, dated March 6, 1950.

The documents referred to above read as follows:

UNIVERSITY OF PENNSYLVANIA,
GRADUATE SCHOOL OF MEDICINE,
Philadelphia, May 24, 1951.

Hon. JOHN W. McCORMICK,

House of Representatives, Washington, D. C.

DEAR SIR: I am very glad indeed to certify concerning the expertness of Mr. Rafael Alemany in his special field of medical art and illustration. I met Mr. Alemany in Spain several years ago, and I am quite familiar with his work. For many years, he occupied a position of eminence as an outstanding medical artist in Barcelona, during which time he illustrated many of the important medical books and articles.

When he came to this country, I had occasion to see him and had hoped that he might be able to establish his home here, as there is always considerable difficulty in obtaining an artist of his ability for medical illustrations.

Very truly yours,

H. L. BOCKUS, M. D.

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, October 19, 1948.

To Whom It May Concern:

This is to certify that at least two of the professors in our graduate school of medicine want Mr. Rafael Alemany, a medical artist, to do certain illustrations for them.

It is hoped, therefore, that he may be able to remain in this country in order to complete this work.

Sincerely,

ROBIN C. BUECKI, M. D.,
Vice President in Charge of Medical Affairs.

TEMPLE UNIVERSITY,
DEPARTMENT OF LARYNGOLOGY AND BRONCHOESOPHAGOLOGY,
Philadelphia, Pa., October 18, 1948.

To Whom It May Concern:

This is to certify that Mr. Rafael Alemany is a medical artist with excellent training and well fitted to do all kinds of illustrating such as surgical techniques, pathological specimens, etc. Mr. Alemany's work has been widely appreciated both in Spain and in this country.

I believe that this man will make a worthy contribution to American medical science if he is permitted to remain in the United States. Furthermore, I believe that he is a person of good character.

Very truly yours,

CHEVALIER L. JACKSON.

UNIVERSITY OF PENNSYLVANIA,
GRADUATE SCHOOL OF MEDICINE,
MEDICO-CHIRURGICAL COLLEGE
Philadelphia, Pa., December 14, 1948.

UNITED STATES DEPARTMENT OF IMMIGRATION

New York.

DEAR SIR: We are in great need of the artist, Mr. Alemany, at the Graduate School of Medicine of the University of Pennsylvania. His ability as a medical artist is such that he can be of great assistance to us in the portrayal of some of our medical drawings. We would appreciate any possible courtesy that can be extended to this man.

Very truly yours,

HERBERT R. HAWTHORNE, M. D.,
Professor Surgery.

PHILADELPHIA, PA., April 29, 1949.

Mr. H. LAWRENCE GROVES,
American Consul General, Montreal, Canada.

DEAR SIR: I am taking the liberty of writing you to respectfully request in my name and in the name of various colleagues, professors of the Graduate School of Medicine of the Pennsylvania University, that you consider favorably the petition of granting the residency in the United States to Mr. Raphael Alemany, artist and medical illustrator.

I find Mr. Alemany in many ways a great asset to this country, as we consider him to be a person of high prestige and a specialized artist and his work is held in high esteem in the different fields of medicine. We are convinced of the great benefit it would be to the United States in having this gentleman as resident, so that he may be able to collaborate with our schools of medicine and hospitals; besides, we are sure Mr. Alemany would be of great value to us in illustrating the many different works we have in mind for publication.

If, among the documents, which I enclose, of Mr. Alemany, you find some missing data to complete the legal requisites for this petition, I shall appreciate your letting me know, in order that I may forward it to you, as soon as possible.

Mr. Alemany is a very honorable person and of excellent character. I sincerely hope that his case will be favorably considered by you and for which, I would be very grateful for your reply, at your earliest convenience.

Thanking you for the consideration you may give the foregoing, I remain,
Respectfully yours,

H. L. BOCKUS, M. D.,
*Professor, Gastroenterology,
Graduate School of Medicine, University of Pennsylvania.*

PHILADELPHIA, PA., May 13, 1949.

Mr. H. LAWRENCE GROVES,
American Consul General, Montreal, Canada.

DEAR SIR: I am writing in behalf of Mr. Raphael Alemany well-known artist and medical illustrator, of Barcelona, Spain. Mr. Alemany has been in this country for some months, and during this time has been kind enough to make some valuable drawings for me and for my colleague here at the University of Pennsylvania. I met Mr. Alemany 3 years ago at Barcelona, at which time he was engaged as medical illustrator for a number of the professors of the medical school in that city. He is probably the best-known and most-efficient medical illustrator in Europe.

For a personal reason, Mr. Alemany is anxious to be granted a residency in the United States. Evidently he has been advised to go to Canada with the idea that he will be allowed to enter in that way. It is my impression that he was given this advice by members of our Department of Immigration.

Personally, it is my opinion that he would make a very worthy citizen of our country, and certainly would become a valuable asset to medicine, as he is anxious to continue his work as a medical illustrator. It is likely that my colleague and I at the medical school of the University of Pennsylvania will have sufficient need for medical illustrations that he could be kept busy in this institution alone. We have had considerable difficulty in obtaining the services of really expert artists in this line.

Mr. Alemany is a close friend and formerly worked with Prof. Gallart Mones in Barcelona. Professor Mones is a good friend of mine and has assured me of the integrity and excellent character of Mr. Alemany.

I sincerely hope that you may find it possible to do something for him.

Respectfully yours,

H. L. BOCKUS, M. D.,
*Professor Gastroenterology,
Graduate School of Medicine, University of Pennsylvania.*

PHILADELPHIA, PA., September 26, 1949.

Mr. H. LAWRENCE GROVES,
American Consul General,
Montreal, Canada.

DEAR SIR: On May 13, 1949, I wrote you concerning Mr. Raphael Alemany, the internationally well-known medical artist from Barcelona, Spain.

The immigration authorities here are looking with favor upon his being granted permission to become a resident in this country, if Mr. Alemany is able to obtain your consent in extending him passport when he goes to Montreal for his final re-entrance to United States.

From the contents of the communication from the Department of Immigration it seems clear that further consideration may be given by the Immigration Department.

As I stated in my letter of May 13, it is of utmost interest to me and my colleagues of the Postgraduate School of Pennsylvania that a favorable conclusion is reached.

With many thanks for any help you may be able to render this very worthy person, I remain,

Very truly yours,

H. L. BOCKUS, M. D.,
Professor of Gastroenterology,
Graduate School of Medicine, University of Pennsylvania.

NEW YORK, N. Y., December 3, 1949.

CONSUL GENERAL OF THE UNITED STATES,
Montreal, Canada.

DEAR SIR: This is to certify that as soon as Mr. Rafael Alemany has secured a nonquota immigrant visa for the United States I will give him a position on my staff as a medical illustrator, in order that he will never become a public charge to the United States.

I know Mr. Alemany's works from books he has illustrated, as well as from samples he has made while residing in the United States studying the work here in his special field of interest. I am sure that the type of work done by Mr. Alemany is very hard to obtain. He will not have much competition here because his work is of a highly specialized nature to which few artists wish to dedicate themselves.

Although I shall make Mr. Alemany part of my staff I know that he will be able to secure other positions with medical institutions or publishers of medical books as he already has been contacted by several of these institutions for work that he could not execute because his temporary visitor visa did not permit him to be gainfully employed.

Mr. Alemany has already held teaching positions as an assistant instructor of art in the department of anatomy of the faculty of medicine of the University of Barcelona, Spain. His residence in the United States will prove beneficial to the country. It is with this knowledge that I ardently request that he be granted his wish to enter the United States as a permanent resident.

Respectfully yours,

RAMÓN CASTROVIEJO, M. D.

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Montreal, Canada, August 16, 1950.

Visa application of: Raphael Alemany.
Quota status: Nonquota 4 (d).

Mr. RAPHAEL ALEMANY,
New York, N. Y.

SIR: The documents submitted in connection with your visa case have been examined and found satisfactory so far as can be ascertained in advance of your required personal appearance. The following additional documents must be presented when you appear here to file formal application for a visa.

1. Valid passport or other travel document;

2. A letter, in duplicate, from the University of Pennsylvania, including the following points: position offered, salary, description of duties, whether or not you will be a member of the faculty and whether you will actually teach or instruct students, or will be engaged only to illustrate the written texts and papers of members of the medical faculty.

The other members of your family are not included in this letter of invitation, since none of their personal documents are on file.

No assurance may be given that the visa will be issued nor that you will be able to reenter the United States should you be unsuccessful in getting a non-quota 4 (d) visa.

You may call any weekday at 9 o'clock, Saturdays and legal holidays excepted. Since you appear to be entitled to nonquota status no quota number will be requested in your case.

Before starting the journey to Montreal you should consult the nearest office of the United States Immigration and Naturalization Service in regard to pre-examination to facilitate entry into Canada. This letter should be retained for presentation to the American and Canadian immigration officials.

The documents submitted will be kept on file here at your risk pending personal appearance.

Very truly yours,

FRED M. WREN,
American Consul.

(Enclosure: Medical sheet.)

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, September 14, 1950.

To Whom It May Concern:

This is to certify that at least two of the professors in our graduate school of medicine want Mr. Rafael Alemany, a medical artist, to do certain illustrations for them.

It is hoped, therefore, that he may be able to remain in this country in order to complete this work.

Very truly yours,

ROBIN C. BUERKI, M. D.,
Vice President in Charge of Medical Affairs.

UNIVERSITY OF PENNSYLVANIA,
GRADUATE SCHOOL OF MEDICINE,
Philadelphia, September 14, 1950.

To Whom It May Concern:

This is to certify that Mr. Rafael Alemany is an outstanding medical artist from Spain. Several of us on the faculty of the Graduate School of Medicine of the University of Pennsylvania have been desirous of having Mr. Alemany remain in this country in order that we may have the use of his expert services for the reproduction of pathologic and other material to be used for purposes of publication and teaching. It has been exceedingly difficult to obtain a person of his ability for this type of work.

Very truly yours,

H. L. BOCKUS, M. D.

Having considered all the facts in this case, the committee is of the opinion that H. R. 4121 should be enacted and it accordingly recommends that the bill do pass.

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